



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

ENFORCEMENT OF CHILD LABOR LAWS IN SOUTH CAROLINA

BY HON. E. J. WATSON,

Commissioner of Agriculture, Commerce and Industries, South Carolina.

The real textile development in South Carolina did not begin until along in the eighties, and since that time it has been more rapid and substantial than any like development in any country. In this short space of time these plants have drawn natives and untutored labor from the fields until to-day the textile village population is about 120,000, and it is not to be wondered that we are now going through the same process which the State of Massachusetts experienced at a similar stage of development. It is not to be wondered that we have not yet as skilled operatives and consequently not as high a scale of wages on the face of it as you, for at our lower cost of living and in our balmy climate our scale perhaps nets the operative as much or more; it is not to be wondered that it took us in South Carolina until 1903 to enact a child labor law. It is not to be wondered that it took us until 1907 to get down to a sixty-hour-week basis; it is not to be wondered that it took us until the opening of the year 1909 to take the lead in the South and put in a complete system of factory inspection, designed to enforce the child labor laws, to look to sanitation and ventilation and the health and welfare of the people employed in our plants.

It is a matter of wonder, however, that notwithstanding the constant annoyance and wilful misrepresentation of so-called sociologists, taking no regard whatever of the conditions under which this great manufacturing development had been originated or the status or the character of the employees, or of the short space of time in which the development had occurred that we have reached the stage now, where, for one year, factory inspection and the enforcement of child labor laws have been in full operation with most beneficial results.

A number of our mill managements, though they have the right, under certain exemptions of the law, to employ the children of a "widowed mother," a "totally disabled father," or an "orphan

child," under the age of twelve, have voluntarily notified the state authorities that they had issued orders to their subordinates in their plants never again to employ a child under the age of twelve under any circumstances whatsoever. It is a wonder, also, that during the initial year of the enforcement of these laws and of the conduct of inspection, which has been careful and searching at all times, and without fear or favor, the State Department of Labor has managed to end the year without having made a single arrest and enjoying the hearty co-operation of employer and employee alike.

The year ends with a great increase in spindleage and in total operatives, yet with a marked decrease in female labor and an improvement in child labor conditions that could scarcely have been expected. I must respectfully submit that nowhere in this country, or in any other in the same length of time, has there been, under such circumstances, such a speedy adoption of legal restrictions and safeguard for all labor in the textiles, particularly women and child labor, as has occurred in South Carolina.

Furthermore, we have put into operation in South Carolina a system by which child labor is checked up, as complete in the details of its operation as can be found in any country. I say this boldly, in the light of full knowledge and experience in all manufacturing centers of Europe, and in the light of a knowledge of laws and systems prevailing on this continent. There is not an hour in the year when an inquirer coming to the central office of the State Department cannot examine the duplicate papers filed to cover every child employed in the textiles under the age of fourteen, papers covering the exemption, if there be one, the plant in which the child is employed, the plant in which he or she was first employed and the day of employment, and the date of every transfer from one mill to another that the child has made since going into employment. Likewise, the inspector upon going to the plant can examine the complete papers of every child and check them up; furthermore, he can walk up to the child in the mill and make the child produce the certification of compliance, permit issued from the central office, stating to the inspector the record of the particular case. Although we are enforcing these laws to the letter, and I have welcomed and aided every investigation of our textile industry conducted by the United States Government, or any other organization asking only a true and honest statement of facts, we find still certain, from-the-Pullman-car-window sociological tourists of the South

exploiting photographs of the worst of our cases—and I make no pretense to deny that we have some sore spots and some bad ones that we are removing as rapidly as we can to eradicate—sending to the world pictures of these worst cases and proclaiming them typical, judging the entire situation by rare and isolated cases. We find published to the world the picture of a child in a publication like *Harper's Weekly* only a few days ago with the inscription beneath that this child is working in a South Carolina mill twelve hours a day. It would be a prison offense for any manufacturer to work any child twelve hours a day in any vocation in South Carolina, and it would likewise be a prison offense for the parent of that child to permit it to work. I only wish it were a prison offense thus to impose upon a publication that regards its reputation for truth and honesty, and I wish it were my duty to prosecute the case.¹

We who are charged with the enforcement of the laws in South Carolina are anxious to see those laws amended to cover dangerous machinery and a great many other things, and I have recommended to our general assembly the repeal of the provision for children under twelve years to work during summer months, notwithstanding there were little over 500 to avail themselves of this privilege during the past year. I have further recommended the abolition of any exemption under the age of twelve and the enactment of a compulsory education law. I do not believe the time has come, under southern conditions,² when we can come to the flat-footed fourteen-year-old basis, but I believe the time is soon coming. I am convinced, as is Dr. Stiles, of the United States Service, that many of these children between the ages of twelve and fourteen are far better off to-day in the textiles with the protection thrown around them than they were in a poor rural home, or if permitted to run at large; but I am also convinced that a child living out on a good farm in South Carolina, or Georgia, or Alabama, or any other southern state right now, is enjoying healthy conditions that are probably 500 per cent. better than any mill village in the South.

¹ The article containing the photograph criticised bears evidence of having been prepared a year before it was published. The South Carolina Legislature of 1907 enacted a law gradually reducing the hours from 66 to 60 per week. The 66-hour week meant a 12-hour day for the first five working days of the week. The legislature of 1909, however, defined the 60-hour week as meaning not more than 11 hours in any one day, on the ground that the law of 1907 permitted employees to work more than 11 hours a day so long as they kept within the 60-hour week.—Ed.

² Virginia, Kentucky, Tennessee, Louisiana, Arkansas and Oklahoma, among the southern states, have come to the "14-year-old basis."—Ed.

We feel that there is need and a good field for service for a child labor committee animated by honesty and sincerity of purpose, and to such a committee we will ever lend our aid. This sentiment animates a large number of our leading textile manufacturers who are at present engaged in substantial and beneficial welfare work, looking to the elevation morally, mentally and physically of their operatives, adult and child alike.

I am glad to come here now as the representative of the first strictly southern state government to establish a full department of the government under a state labor commissioner, and undertake actively the enforcement of laws upon the statute books which might otherwise be dead letters for the reason that the honest manufacturer, if the law is not followed and enforced, soon finds the dishonest man taking the labor by families when he has refused to employ a child of the family illegally. This very element of non-enforcement in a few weeks forces the honest manufacturer to violate the law, and the law becomes a dead letter.

There is no question of the need of a national and state child labor committee composed of patriotic people for the purpose of rendering aid to state authorities, charged with the enforcement of the laws for the protection of our human resources. Such an organization, designed to get at essential facts and present them conservatively, fairly and honestly to the law-making-power of the country, has a high mission, and one that should receive the hearty co-operation of every official in the United States. I certainly have never failed in the expression of a willingness to co-operate for the betterment of our conditions as to child labor.

The manufacturer in the South has placed himself upon record as favoring compulsory education, than which nothing could be of greater assistance in the enforcement of the law. If he be given a compulsory education law he will scarcely fight against a minimum age of fourteen years.

There are different ways of enforcing the law. Our experience has differed in many regards from that of many other states where manufacturing has had an older development. When our department undertook the enforcement of the laws curiously enough we found that the employees, being ignorant of the provisions of the law, we were having as much difficulty with those whom the laws sought to protect as with the employer. I believe the complete enforce-

ment of law, particularly of a sociological and industrial nature, is best accomplished with the aid and co-operation of employer and employee rather than with the antagonism of either or both.

Starting in a new field we determined to move conservatively and with firmness, first enlightening all parties concerned as to the laws' provisions, and we have not by the arbitrary use of legal powers endeavored to enforce a too sudden and violent change. The result has been that to-day we are enjoying an enforcement of our laws that is complete and is being conducted without antagonism of the parties concerned, knowing that the laws will be enforced, that the requirements must be met or that legal process will follow. An examination of the proceedings of the special commission of the International Association for Labor Legislation at Basel, Switzerland, shows that nearly all the chief features of the recommendations for the control of child labor are either embraced in our state laws or are covered by recommendations made by the department to the general assembly.

In South Carolina we have no industry competing with the textiles employing child labor, therefore our attention is confined almost exclusively to the textiles, though permits have been issued by the state department to twenty-six boys and girls under fourteen in cigar factories, four in mattress factories, and six employed as telegraph messengers. The office during the nine months of its operation has refused to issue permits for eighty-eight children under twelve years, though their papers had been passed upon by the county authorities. The inspectors, during the same period, upon their first tour of inspection of the mills, found 231 children, including the eighty-eight referred to, who could not qualify under the exemptions and ordered them peremptorily discharged. On the same trip they found 227 children between the ages of twelve and fourteen who had not complied and forced immediate compliance. Under our registered number system up to December 31, 6,332 permits were issued.

The year ended with a total number of 4,398 children under fourteen years of age at work holding permits, issued upon sworn documents. Ninety-seven of these were negroes. Permits were issued to 708 children under twelve years of age upon the special legal exemptions. This does not mean, however, that these 708 children are now in manufacturing plants. A number have since

become twelve years of age, and a number, while still possessed of their permits, are not at work but at school. It is indeed to be doubted if at this moment there are more than 600 children under twelve years employed in all lines of industry in South Carolina out of a population of about 120,000 operating workers. Of the 8,432 children employed on December 31, about 4,400 were between the ages of fourteen and sixteen, and the number of white women employed had decreased to 17,000 out of over 49,700 operatives. This takes no cognizance of the many children taken out of the mills, either by parents or superintendents, when the present law became effective and it was known that the mill would be inspected; nor of the number of young children who had been going into the plants with parents, sisters or brothers in order that they might be taken care of under what is generally termed the "helper system." Our instructions to the inspectors, manufacturers and employees were that all would be held alike responsible in the eyes of the law for any children not covered by legal papers and holding permits of certification found upon the floor of the mills or plants. It is, therefore, easy to be seen that, notwithstanding that the industry, so far as native employees are concerned, is only just about at the stage of development that Massachusetts was practically a half century ago, the firm and active enforcement of law, without harshness or undue rigidity, has brought about a marked improvement in conditions which I believe will be even more marked in the next twelve months.

I am interested deeply in the high purpose of the work of the National Child Labor Committee, but I have, perhaps, said enough. Some of the strong expressions I have used have not been directed to such an organization as this, but to those who would misrepresent or pick out sore spots and have the world judge the whole by them, stating conditions, not alone in South Carolina or Georgia or Alabama or in any of the southern textile territories, but in Pennsylvania and Maryland and Illinois, and even here in New England without regard to truth or the best interests of the nation. I sincerely trust that the day may come when in this nation we will see thoroughly established a broad system of education and the absolute elimination of child labor of every age, nature and description. Such labor as a child should do should not be performed for the hourly wage in order to swell family income, but should be upon lines of a non-

hands of the professional schoolman of the community. No school confining, voluntary and training character. The people of this country are gradually becoming aroused on this subject, and the National Child Labor Committee and its sub-committees have had considerable to do with it. May the work be continued conservatively, earnestly and honestly, and may the ultimate results be not too far in the future.